

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-CR-239

VIRGINIA ANN MILLER,

Defendant.

ORDER

Defendant Virginia Ann Miller plead guilty to mail fraud regarding her social security checks contrary to 18 U.S.C. § 1341 on February 8, 2007. On May 25, 2007, she was sentenced to two years of probation and required to serve 120 days of home confinement with various conditions, including electronic monitoring, substance abuse treatment and testing at the discretion of her agent, and refrain from alcohol during the period of her supervision. She was also ordered to pay restitution of \$2,950.79. Ms. Miller has now filed a motion seeking to terminate her probation early based upon the fact that she has complied with all conditions of her probation and satisfied her financial obligations.

While Miller is to be commended for her efforts to comply with the conditions of her probation and to pay off her financial obligations, the Court is in agreement with the Government that termination after 18 months is more appropriate. The fact that the Defendant tested positive for cocaine while on bond suggests that a longer period than the bare minimum is appropriate to monitor her post-conviction behavior. Accordingly, the Court denies the motion to terminate

probation at this time, but invites Defendant to renew her request after 18 months if she is still in compliance with the conditions of supervision.

Dated this 17th day of June, 2008.

s/ William C. Griesbach
William C. Griesbach
United States District Judge